

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
TUESDAY, OCTOBER 13, 2015
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Brown, Cebula, Hughes, LaMantia, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Amy Usowski, Ginny Hewitt, Sheila House, Sharon Stover Gleason, Christina Joyce, Tina Games-Evans, Ed Groves, Emily Milan, Anne Stewart, Duncan Berry, Bob Bradley, Barry Worth, and others.

MEETING CALLED TO ORDER at 6:30 p.m. by Chairman Hughes.

WEEKLY BRIEFING

Ms. Hewitt reported that the Library was closed today as the emergency light converter had failed over the weekend and it has affected about 90-95% of the building's lighting. She noted that our Facilities Maintenance Manager is working on it and has been on the phone with the manufacturer in California. She further announced some personnel changes at the Library.

Mr. Worth reported that the Inter-Governmental Agreement which governs all of the towns in relation to the Cape Light Compact is being slightly revised and that Ms. Downey will be here soon to answer questions.

CONSENT AGENDA

- A. Approve Minutes – September 28, 2015 Regular Session
- B. Approve and sign Covenant with Phyllis A. DiCapua regarding Muddy Creek Bridge Project
- C. Accept resignations of Joan Jones, Robert Jones, Nancy DeDominici, Deborah Delaney and Frank Salewski from the Treasure Chest Committee effectively immediately
- D. Approve recommendation of the Interview & Nominations Subcommittee to appoint Treasure Chest Committee members
- E. Approve HEA Job Description for Office Assistant – Golf
- F. Approve request for assistance from the Caleb Chase Fund
- G. Accept gifts to Harbor Demolition/Beautification Fund

Ms. Brown moved approval of the Consent Agenda. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)*

A. Annual Meetings:

- 1. Voter Information Committee – Christina Joyce, Chair

Christina Joyce delivered the annual report of the Voter Information Committee.

2. Youth Services Committee – Sharon Stover Gleason, Chair

Sharon Stover Gleason delivered the annual report of the Youth Services Committee.

3. Cemetery Commission – Cynthia Eldredge, Chair

Chairman Hughes noted that the Cemetery Commission will be rescheduling.

B. Artificial Reef Project between Saquatucket Harbor and Red River Beach:

1. Status of project plan – *discussion*

Ms. Usowski provided a slide presentation including site map and provided a history of the project. She reported that it would be for recreational fishing and not necessarily for commercial fishing. She noted that the material is currently at the landfill and has been inspected by the Division of Marine Fisheries (DMF) which has indicated that they are hoping to fund the entire project. She stated that the cost is approximately \$275,000, with the majority going for deployment of the barge, and it would be more palatable for the DMF if the Town offers some matching funds and so they are applying for CPC funding in the amount of \$70,000.

2. Establish gift account – *discussion & possible vote*

Ms. Brown moved to establish the Harwich Reef Gift Account. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

NEW BUSINESS

A. Work plan for the relocation of the Bay View Road public access path – *discussion and possible vote*

Ms. Usowski outlined her memo dated October 6, 2015 and path relocation diagram (attached) designed by Wilkinson Ecological Design. She reported that the next steps are for our Surveyor to re-stake the central line of where path should go and she has applied to AmeriCorps to assist in the restoration project. She noted that they are going for a 4' wide path in most places and are hoping to go ahead this winter now that all the appeal periods are over. She recommended adding 150-200 combs of beach grass plantings as well as some stakes. She further added that the path will have to be monitored yearly.

Mr. LaMantia moved to approve the Bay View Road path relocation diagram as presented with the construction techniques identified and to direct the Town Administrator to identify sources of funding as needed to supplement in-house construction. Mr. MacAskill seconded the motion and the motion carried by a unanimous vote.

B. West Harwich School RFI – *discussion and possible vote*

Chairman Hughes stated that he thought that it was intent of the Board to enter into a license agreement whereby: the licensee can improve and maintain the facility, to maintain the historic characteristics, and to identify the fact that whoever wins this takes the building as is and they have to make the improvements. He pointed out that Mr. Spitz was not present for that discussion.

Mr. Spitz stated that he simply combined a previous description of the property which was in the 2009 RFP with the RFI we did for the Middle School. He noted that they now have an email from a hydrologist from Mass DEP regarding the status of the plume which seems to indicate that it is not much of a concern and that should be clarified.

Ms. Cebula questioned if the Board is comfortable leaving out for-profit groups. The consensus of the Board was to include both non-profit and for-profit groups and Mr. Spitz agreed to make the change. Mr. LaMantia said it is not a good idea to try to do affordable housing there and Chairman Hughes stated that the intent is not to increase the size of the building or change the footprint. Ms. Cebula recommended that this be stated in the document and the Board agreed. Mr. Spitz stated that if that is the case, then 40B housing definitely wouldn't work there. Chairman Hughes suggested including a sample license agreement. Anne Stewart read a statement from Lou and Sally Urbano (attached). The Board took comments from Duncan Berry of 37 Route 28 regarding the vision of their group. Chairman Hughes stressed that they should focus on this building and not any other property in their response to an RFI. The Board took comments from Brooke Williams and Chairman Hughes suggested he meet with Mr. Berry. It was agreed that Mr. Spitz would return in two weeks with a revised draft RFI.

C. Wastewater Educational Moment – Wastewater Subcommittee Agenda / Draft Inter-Municipal Agreement for Wastewater Treatment and Disposal with Town of Chatham – *discussion and possible vote*

Mr. Clark provided an overview of the agenda, draft Inter-Municipal Agreement, and points from John Giorgio. He took questions and comments from the Board. Ms. Cebula asked to be provided with Exhibit A and the Chatham Wastewater Regulations referred to in #9. She questioned if our share of the operating expenses would go down if Chatham increases their capacity but we only buy in for 300,000 gallons and Mr. Clark responded that our percentage would go down for O&M only. Ms. Cebula said that should be clarified in the contract. She stressed that net costs should be clear before Town Meeting.

TOWN ADMINISTRATOR'S REPORT

A. Town Administrator Goals & Objectives quarterly report

Mr. Clark reviewed the status of each of his goals as discussed in his memo of October 7, 2015.

B. Summary of Capital Outlay budget requests

Mr. Clark stated that he will meet with all the department heads on the capital budgets to determine their priorities.

C. Brooks Library columns – update

Mr. Clark reported that he is waiting for a response to his letter to the Library Trustees and the Historic Commission regarding the column materials.

D. Legal costs summary – Collins, Loughran & Peloquin FY 14, 15 & 16

Mr. Clark reported that it would be worthwhile to look at other vendors for this service and he has received two proposals which are less expensive and of equal quality.

SELECTMEN’S REPORT

Ms. Brown noted that the Board of Health did not meet tonight due to lack of a quorum and this is delaying the contractors. She recommended that alternates be added to the Board. Mr. Clark said he would check into it to see if they can have alternates.

ADJOURNMENT

Chairman Hughes adjourned the meeting at 8:52 p.m.

Submitted by,

Ann Steidel
Recording Secretary



TOWN OF

HARWICH

*732 Main Street
Harwich, MA 02645*

CONSERVATION COMMISSION

(508)-430-7538 FAX (508)430-7531

October 6, 2015

To: Board of Selectmen
From: Amy Usowski, Conservation Administrator

RE: Bay View Access Path

As you are aware, the Department of Environmental Protection has issued a Superseding Order of Conditions, affirming the Conservation Commission's decision, to move the Bay View Access Path back to within the legal 6' Right of Way to the water. The appeal period for the SOC ends October 8, 2015. Here are some steps on how we could move forward if this is not appealed:

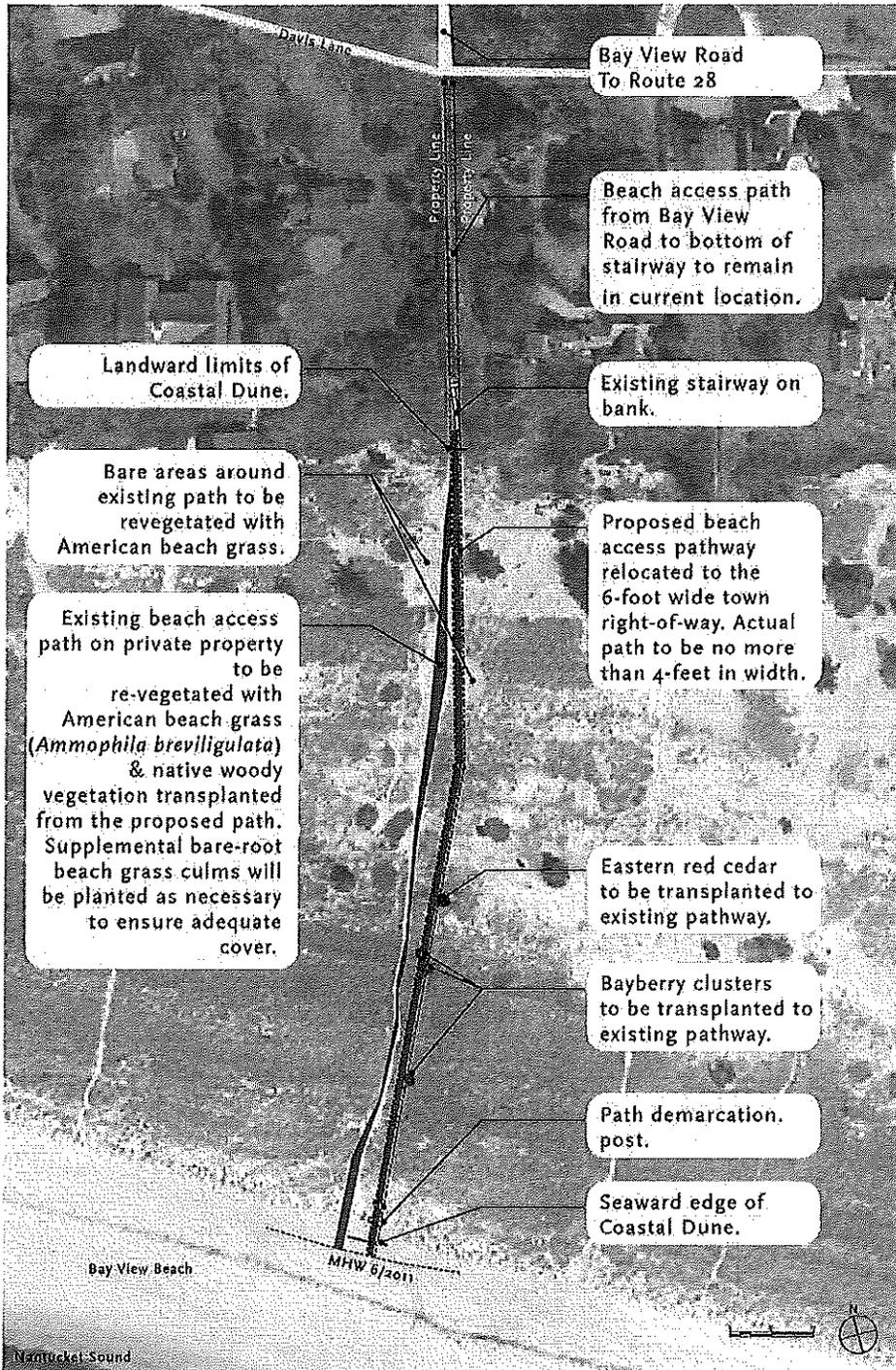
This project would need to be done by hand with no machinery. Beach grass would be transplanted from where the path needs to go to where it is now, outside of the ROW. The ideal time to transplant beach grass is in the winter when it is dormant. First the Town would need to ask our surveyor to very clearly mark the center line of the path, so that whomever is doing the transplanting knows where to remove the grass. The path would only be an in-the-sand footpath no more than 3' wide. I would be happy to apply with AmeriCorps Cape Cod to do the field labor this winter of transplanting the grass. We could get 14 members for a full day of work, which should be enough to finish the project. Environmental restoration fits into AmeriCorps Cape Cod's mission, as we would have a net increase in vegetated dune after this project is complete. They are paid by the county, at no charge to us. Maybe we could also ask town volunteers or ask Linc Hooper for a couple of employees to assist as well on that day. Alternatively, we do have a quote from Wilkinson Ecological Design to do the work.

If this is not appealed, I see no reason that this project could not be completed by spring 2016. I am happy to assist any way I can.

BAY VIEW ROAD path relocation diagram

6/20/2014

DRAFT



LEGEND:

- EXISTING PATH
- PROPOSED PATH
- COASTAL DUNE LIMITS
- PROPERTY LINE
- CONCRETE BOUNDS
- PATH DEMARCATION POST

NOTES:

Proposed path relocation results in a net reduction of 64 square feet of path surface as compared to the existing path.

The proposed path will be demarcated by either a Mobi-Mat system, a roll out wooden board walk, or a post-and-rope railing.



This is being read for me by Anne Stewart and it means Lou and I have not made it back from medical appointments in Boston.

My friend Dorothy Harder once told me to quit being such a "good girl " and just say what was on my mind. Nobody did that better than Dorothy, so I am trying to do just that.

Tonight you will be discussing an RFI for the West Harwich Schoolhouse. In fact our initial proposal allowable under statutes of mass general law in regards to powers of Historic Commissions and Community Preservation Act law Section 12 B allows for a town to grant use of a town owned building to the Historic commission.. In this project our Historic Commission would use the building for the maritime museum in conjunction with Captain's Row community group.. This I think would negate the need for an RFI. However i don't know of any discussions on this option and I think there should be.

I would point out that the citizens of Harwich have a vision for their town and it includes keeping our historic and cultural aspects. Reference the phenom that is route 124 and the rejection of 4million dollars so that a historic and scenic area could be saved. Harwich conservation Trust continues to have great support for acquiring open space and there is a group currently trying to keep the Harwich Middle school. The town has entered into such agreements in the past, and in fact Our proposal to CPC for the West Harwich schoolhouse is a joint project with the town. That leads me to think the town understands its citizens' desire to keep this building.

For more than a year we have discussed Captain's Row , a complete plan for revitalization and establishment of a historic district in West Harwich. It has been conducted in an open manner.. Additionally multiple articles on the project and use of the school house were detailed by Bill Galvin in the Cape Cod Chronicle. At any time another group might have spoken up with alternative plans, but they didn't . I find this disturbing and here's why. Process is important. What is the unintended effects of a process that allows a community group to expend a great deal of effort on a project only to have the need for an RFI thrown in at the last minute. I don't believe an RFI holds the same amount of openness for our citizens. And if this is the process the municipality requires, shouldn't the RFI at least be on equal footing with our proposed project? Shouldn't it stipulate for direct community use, historical envelope and consideration of what the neighborhood wants. Now the proposed RFI includes possible Sale of the building or 40 b housing amongst other things. It's confusing. and if the building is sold, there is nothing to keep the buyer from applying for a demolition.

I think the option of designating the use of the schoolhouse to the Historic Commission should be considered. It is an option with supporting laws already in place and employed by many towns serious about keeping their historic assets.

Thank you for your time and we look forward to the continued and full support of the town to help us put the West Harwich Schoolhouse to community use within Captain's Row, which holds incredible potential for all of Harwich .

Respectfully submitted and somewhere in Boston
Sally and Lou Urbano

Related Documents - October 13, 2015 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes.pdf
- 03 Covenant Muddy Creek.pdf
- 04 Treasure Chest Resignations.pdf
- 05 Treasure Chest Appointments.pdf
- 06 Office Asst. Golf.pdf
- 07 Harbor Fund Gifts.pdf
- 08 Voter Info Report.pdf
- 09 Youth Services Report.pdf
- 10 Artificial Reef Project.pdf
- 11 Bay View Access Path.pdf
- 12 WH School RFI.pdf
- 13 Wastewater Moment.pdf
- 14 TA Goals Update.pdf
- 15 Capital Outlay Requests.pdf
- 16 Brooks Library Columns.pdf